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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,999	04/24/2000	Roy Mickos	930.307US01	7677
32294	7590	06/27/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P.			PHAM, BRENDA H	
14TH FLOOR			ART UNIT	
8000 TOWERS CRESCENT			PAPER NUMBER	
TYSONS CORNER, VA 22182			2664	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/557,999

Applicant(s)

MICKOS ET AL.

Examiner

Brenda Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 1/13/2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 6-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6 and 11-23 is/are rejected.
- 7) ☐ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-2, 6-23 are pending.
2. The indicated allowability of claims 1, 2, 6, 11-23 is withdrawn in view of the newly discovered reference(s) to Gentry et al (US 6,888,803 B1) and Ramasubramani et al. Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Gentry et al (US 6,888,803 B1).

Claims 1, 2, 6, 19-23, Gentry et al discloses a communication system comprising a subnetwork (210 of figure 2) connected to a network, the network having a first part (wireless 210) and a second part (packet network 100), the first and second parts being connected so that a first first user (mobile communicated with BSC 210) in one of the first and second parts can communicate with a second user (connected to packet network, not shows) in the other of the first and second parts, wherein at least said first

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user (mobile) is able to move within the respective part of said system, said subsystem further comprising a gateway (BSC gateway 200 and mobile gatekeeper 500) for permitting communication between said first and second parts, said gateway comprising a register for storing information associating the said first and second users and for storing information relating to the current location of the first user so that information from the second user can be directed to first user, wherein said first user is a mobile terminal which is in communication with a base station which is coupled to a respective network element and information relating to the said identity of said network element is stored in said register as the current location information of the first user and an identifier allocated in the network element which is arranged to receive communications intended for said first user is stored in said register (col. 5, lines 65-67, col. 6, lines 1-20).

Claim 11, Gentry et al teach a communication system as claimed in claim 1, wherein said system uses the internet protocol (col. 8, lines 10).

Claim 17, Gentry et al further teach a communication system as claimed in claim 1, wherein said second user operates in accordance with the H.323 protocol (col. 7, lines 4-13).

Claim 18, Gentry et al further teach a communications system as claimed in claim 1, wherein said first user operates in accordance with the GSM standard (col. 6, lines 39-50).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gentry et al (US 6,888,803 B1) in view of Ramasubramani et al (US 6,507,589 B1).

Claims 12-14, as explained in the rejection statement of claim 1 (parent claim), Gentry et al discloses all the claim limitation of parent claim. Gentry et al does not teach a communication system as claimed in claim 1, wherein said register stores source and destination ports and addresses and wherein at least one of the source and destination addresses and ports are of an intermediate network element between said gateway and a user.

Ramasubramani et al, in the same field of endeavor, teach a port and address table included in the network gateway. The address and ports are of an intermediate network element between gateway and a user (see figure 21 and col. 24, lines 42-55).

Therefore, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to implement a routing table in the gateway of Gentry et al for routing the message to the correct agent.

***Allowable Subject Matter***

7. Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record does not teach in combination a communication system as claimed in claim 6, wherein the gatekeeper element is defined by said second user as the initial destination during call setup and said gatekeeper is arranged to poll a plurality of network elements to determine the location of said first user.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

June 16, 2005

Brenda Pham

*Brenda A. Pham*